

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Racz et al.

Serial No.: To be assigned

Filed: July 1, 2003

For: APPARATUS AND METHODS FOR
SENSING AND COOLING DURING
APPLICATION OF THERMAL ENERGY
FOR TREATING DEGENERATIVE
SPINAL DISCS

Examiner: To be assigned

Group Art Unit: To be assigned

Attorney Docket No.: 2102-5841US

NOTICE OF EXPRESS MAILING

Express Mail Mailing Label Number: EV348041356US

Date of Deposit with USPS: July 1, 2003

Person making Deposit: Matthew Wooton

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 or PTO/SB/08 be considered by the Examiner and made of record. Copies of the listed documents are enclosed pursuant to 37 C.F.R. § 1.98(a).

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in

37 C.F.R. § 1.56(b). Further, no representation is made by Applicants herein that no other possible material information as defined in 37 C.F.R. § 1.56(b) exists.

U.S. Patent Documents

<u>U.S. Patent No.</u>	<u>Publication Date</u>	<u>Patentee</u>
US - 6,371,943 B1	04-16-2002	Racz et al.
US - 6,423,059 B1	07-23-2002	Hanson et al.
US - 2003/0014047 A1	01-16-2003	Woloszko et al.
US - 2003/0028147 A1	02-06-2003	Aves et al.

Other Documents

IDET (Intradiscal Electrothermal Annuloplasty), (visited 3/2/2003)
<http://orthoinfo.aaos.org/fact/thr_report.cfm?Thread_ID=339&topcategory=Spine>.

The ORATEC® ElectroThermal Spine System, (visited 2/20/2003)
<<http://www.oratec.com/products/spine/spine-products.html>>.

IDET Reference Literature List, May 15, 2002,
<<http://www.oratec.com/products/spine/spine-abstracts.html>.

discTRODE™ RF Annuloplasty, (visited 2/20/2003)
<<http://www.radionics.com/products/pain/discrode.shtml>>.


In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, Applicants identify the following listed copending application naming common inventor(s):

Attorney Docket No.: 2102-3431.4US
Serial No.: 09/998,991
Filing Date: 11/29/2001
Title: CATHETER CONNECTOR

Attorney Docket No.: 2102-5841US

This Information Disclosure Statement is filed within three (3) months of the filing date of the above-identified application, and no certification pursuant to 37 C.F.R. § 1.97(c) or a fee pursuant to 37 C.F.R. § 1.17(p) is required.

Respectfully submitted,



Bretton L. Crockett
Registration No. 44,632
Attorney for Applicant(s)
TRASKBRITT, P.C.
P.O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

Date: June 30, 2003
BLC/bv

Enclosures: Form PTO-1449 or PTO/SB/08
Cited Documents

Document in ProLaw

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 2

Complete if Known

Application Number	To be assigned
Filing Date	July 1, 2003
First Named Inventor	Racz et al.
Group Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	2102-5841US

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		IDET (Intradiscal Electrothermal Annuloplasty), (visited 3/2/2003) < http://orthoinfo.aaos.org/fact/thr_report.cfm?Thread_ID=339&topcategory=Spine >.	
		The ORATEC® ElectroThermal Spine System, (visited 2/20/2003) < http://www.oratec.com/products/spine/spine-products.html >.	
		IDET Reference Literature List, May 15, 2002, < http://www.oratec.com/products/spine/spine-abstracts.html >.	
		discTRODE™ RF Annuloplasty, (visited 2/20/2003) < http://www.radionics.com/products/pain/discrode.shtml >.	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				<i>Complete if Known</i>	
				Application Number	To be assigned
				Filing Date	July 1, 2003
				First Named Inventor	Racz et al.
				Group Art Unit	To be assigned
				Examiner Name	To be assigned
				Attorney Docket Number	2102-5841US
				Sheet 1 of 2	

[illegible][illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.